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6 BARBARA TURUNEN,

7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 Plaintiff, No. C 03-4862 MMC

11 v. **ORDER OF DISMISSAL**

12 ELITE AUTO BODY & COLLISION
13 CENTER, et al.,

14 Defendants

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16 The remaining parties hereto, by their counsel, having advised the Court that they
17 have agreed to a settlement of this cause,

18 IT IS HEREBY ORDERED that plaintiff's claims against defendants, Elite Auto Body
19 & Collision Center, Charles DiVincenzi Sr. and Charles DiVincenzi Jr., be dismissed without
20 prejudice; provided, however, that if any party hereto shall certify to this Court, within ninety
21 days, with proof of service of a copy thereon on opposing counsel, that the agreed
22 consideration for said settlement has not been delivered over, the foregoing Order shall
23 stand vacated and this cause shall forthwith be restored to the calendar to be set for trial.

24 **IT IS SO ORDERED.**

25 Dated: April 20, 2005

26 /s/ Maxine M. Chesney
27 MAXINE M. CHESNEY
28 United States District Judge